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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,387	09/26/2003	Steven D. Cheng	39524.8000	8527

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EXAMINER

MANOHARAN, MUTHUSWAMY GANAPATHY

ART UNIT PAPER NUMBER

2683

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/672,387

Applicant(s)

CHENG, STEVEN D.

Examiner

Muthuswamy G. Manoharan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art admitted by the applicant (hereinafter PA) in view of Gopikanth (U.S. 6,799,038).

Regarding claim 1, PA teaches all the particulars of the claim (items 102, 104, 106, 110, 112, 114, 116 in Figure 1, Paragraphs [0003], [0004]) except for the method of determining if a signal strength transmitted from the RPLMN is higher than a particular level, if not, executing the step (d). However, Gopikanth in an analogous art teaches method of determining if a signal strength transmitted from the RPLMN is higher than a particular level, if not, executing the step (d) (Col. 7, lines 31-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the method of determining if a signal strength transmitted from the RPLMN is higher than a particular level. The inclusion of the method makes the communication link between the mobile device and the PLMN more reliable.

Regarding claim 4, PA in view of Gopikanth teaches all the particulars of the claim 1. However, Gopikanth, in an analogous art, teaches the method of

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communicating with a mobile device, wherein the mobile device (item 210 in Figure 2) is a mobile phone.

Claim 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art admitted by the applicant (hereinafter PA) in view of Gopikanth (U.S. 6,799,038), and further in view of Blakeney et al. (hereinafter Blakeney) (U.S. 5,267,261).

Regarding claim 2, PA in view of Gopikanth teaches all the particulars of the claim 1 (items 102, 104, 106, 110, 112, 114, 116 in Figure 1, Paragraphs [0003], [0004]) and claim 2 (items 200, 202 and 204 in Figure 2, Paragraph [0005]) except for the method of searching for a plurality of available base stations and storing in a base station list. However, Blakeney in an analogous art teaches a method of searching for a plurality of available base stations and storing in a base station list (Col. 3, lines 45-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a method of searching for a plurality of available base stations and storing in a base station list. This method would further improve the quality of the communication between mobile device and the base station during handoff.

Regarding claim 3, PA in view of Gopikanth, and further in view of Blakeney teaches all the particulars of the claim 2. PA teaches a method of determining if reselecting a base station is needed in a particular time interval, if yes, executing step (k) (item 208 in Figure 206).

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Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art admitted by the applicant (hereinafter PA) in view of Gopikanth, and further in view of Blakeney.

Regarding claim 5, PA teaches all the particulars of the claim (items 102,104,106,110,112,114 and 116 in Figure 1, Paragraphs [0003], [0004]; items 200,202 and 204 in Figure 2, Paragraph [0005]) except for the method of determining if a signal strength transmitted from the RPLMN is higher than a particular level, if not, executing the step (d) and also the method of searching for a plurality of base stations and storing in a base station list. However, Gopikanth in an analogous art teaches method of determining if a signal strength transmitted from the RPLMN is higher than a particular level, if not, executing the step (d) (Col. 7, lines 31-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the method of determining if a signal strength transmitted from the RPLMN is higher than a particular level. The inclusion of the method makes the communication link between the mobile device and the PLMN more reliable.

Moreover, neither PA nor Gopikanth specifically teach also the method of searching for a plurality of available base stations and storing in a base station list. Blakeney, however, in an analogous art teaches a method of searching for a plurality of available base stations and storing in a base station list (Col. 3, lines 45-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the method of determining if a signal strength transmitted from the RPLMN is higher than a particular level. Therefore, it would

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have been further obvious to one of ordinary skill in the art at the time of invention to include a method of searching for a plurality of available base stations and storing in a base station list. This method would further improve the quality of the communication between mobile device and the base station during handoff.

Regarding claim 6, PA in view of Gopikanth, and further in view of Blakeney teaches all the particulars of the claim 5. PA teaches a method of determining if reselecting a base station is needed in a particular time interval, if yes, executing step (k) (item 208 in Figure 206).

Regarding claim 7, PA in view of Gopikanth, and further in view of Blakeney, teaches all the particulars of the claim 5. However, Gopikanth, in an analogous art, teaches the method of communicating with a mobile device, wherein the mobile device (item 210 in Figure 2) is a mobile phone.

Claim 8-10 are rejected 35 U.S.C. 103(a) as being unpatentable over PA in view of Blakeney.

Regarding claim 8, PA teaches all the particulars of the claim (items 200,202 and 204 in Figure 2, Paragraph [0005]) except for the method of searching for a plurality of available base stations and storing in a base station list. However, Blakeney in an analogous art teaches a method of searching for a plurality of base stations and storing in a base station list (Col. 3, lines 45-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a method of searching for a plurality of base stations

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and storing in a base station list. This method would further improve the quality of the communication between mobile device and the base station during handoff.

Regarding claim 9, PA in view of Blakeney teaches all the articulars of claim 8. PA teaches a method of determining if reselecting a base station is needed in a particular time interval, if yes, executing step (k) (item 208 in Figure 206).

Regarding claim 10, PA in view of Blakeney teaches all the particulars of claim 8. Bleakney teaches the method of communicating with a mobile device, wherein the mobile device is a mobile phone (Col 1, line 68).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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